

Remarks

Claim Rejections Under 35 USC 103(a):

Claims 1-26 and 33-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zheng et al. (hereinafter Zheng) in view of Law et al. "Key Management with Group-Wise Pre-Deployed Keying and secret Sharing Pre-Deployed Keying" (hereinafter Law) and in view of Laroia et al. (hereinafter Laroia) US Patent Number 6,961,595. In response, all claims have been cancelled, with claims 50-58 added.

New claims 50-58 are directed towards authenticating software by using a patch key to authenticate the software. In the Applicants' claimed invention, a node receives a session key, a patch key length, and a prime modulus, causing the node to generate a patch key with the session key, patch key length, prime modulus, a Diffie-Hellman algorithm, and a locally-generated random number. Analysis of the art cited reveals that no reference, alone or in combination, teaches the generation of a patch key as claimed to authenticate a software upgrade. Because of this, new claims 50-58 are allowable over the prior art of record.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references. As the Applicant has overcome all substantive rejections given by the Examiner the Applicant contends that this Amendment, with the above discussion, overcomes the Examiner's rejections to the pending claims. Therefore, the Applicant respectfully requests allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter. Finally, please charge any fees (including extension of time fees) or credit overpayment to Deposit Account No. 502117.

Respectfully Submitted,
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